
HOUSE BILL No. 1383

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-45-17-2.

Synopsis: Panhandling. Adds locations where panhandling is prohibited.

Effective: July 1, 2009.

Frizzell

January 13, 2009, read first time and referred to Committee on Local Government.

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Introduced

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

HOUSE BILL No. 1383

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 35-45-17-2, AS ADDED BY P.L.140-2005,
2 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2009]: Sec. 2. A person who knowingly or intentionally does
4 any of the following commits panhandling, a Class C misdemeanor:
5 (1) Panhandling after sunset and before sunrise.
6 (2) Panhandling when the individual being solicited is:
7 (A) at a bus stop;
8 (B) in a:
9 (i) vehicle; or
10 (ii) facility;
11 used for public transportation;
12 (C) in a motor vehicle that is parked or stopped on a public
13 street or alley, unless the person soliciting the individual has
14 the approval to do so by a unit of local government that has
15 jurisdiction over the public street or alley;
16 (D) in the sidewalk dining area of a restaurant; or
17 (E) within twenty (20) feet of:

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- 1 (i) an automated teller machine; or
- 2 (ii) the entrance to a bank;
- 3 **(iii) a vending machine that sells or provides newspapers**
- 4 **or periodicals;**
- 5 **(iv) a parking meter;**
- 6 **(v) a vending stand, cart, or vehicle that sells food or**
- 7 **beverages; or**
- 8 **(vi) a donation receptacle used to collect money for**
- 9 **nonprofit organizations.**
- 10 (3) Panhandling while touching the individual being solicited
- 11 without the solicited individual's consent.
- 12 (4) Panhandling while the individual being solicited is standing
- 13 in line and waiting to be admitted to a commercial establishment.
- 14 (5) Panhandling while blocking:
 - 15 (A) the path of the individual being solicited; or
 - 16 (B) the entrance to a building or motor vehicle.
- 17 (6) Panhandling while using profane or abusive language:
 - 18 (A) during a solicitation; or
 - 19 (B) after the individual being solicited has declined to donate
 - 20 money or something else of value.
- 21 (7) Panhandling while making a statement, a gesture, or another
- 22 communication to the individual being solicited that would cause
- 23 a reasonable individual to:
 - 24 (A) fear for the individual's safety; or
 - 25 (B) feel compelled to donate.
- 26 (8) Panhandling with at least one (1) other individual.
- 27 (9) Panhandling and then following or accompanying the solicited
- 28 individual without the solicited individual's consent after the
- 29 solicited individual has declined to donate money or something
- 30 else of value.

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